

HOUSE BILL 282

R1, B5

0lr0382

By: **Delegate Pena–Melnik**

Introduced and read first time: January 26, 2010

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation Projects – Bicycle and Pedestrian Access – Funding and**
3 **Reporting**

4 FOR the purpose of declaring that it is the policy of the State that, in developing the
5 annual Consolidated Transportation Program, the Maryland Department of
6 Transportation shall work to ensure that there is a balance between funding for
7 certain transportation projects for pedestrians and bicycle riders and certain
8 highway construction projects and place increased emphasis on certain
9 transportation projects in certain areas under certain circumstances; requiring
10 the Statewide 20–Year Bicycle–Pedestrian Master Plan to be revised in each
11 year that the Maryland Transportation Plan is revised; repealing an obsolete
12 reference; and generally relating to transportation projects for pedestrians and
13 bicycle riders.

14 BY repealing and reenacting, with amendments,
15 Article – Transportation
16 Section 2–602 and 2–604
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2009 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Transportation**

22 2–602.

23 The General Assembly finds that it is in the public interest for the State to
24 include enhanced transportation facilities for pedestrians and bicycle riders as an
25 essential component of the State’s transportation system, and declares that it is the
26 policy of the State that:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Access to and use of transportation facilities by pedestrians and
2 bicycle riders shall be considered and best engineering practices regarding the needs of
3 bicycle riders and pedestrians shall be employed in all phases of transportation
4 planning, including highway design, construction, reconstruction, and repair as well
5 as expansion and improvement of other transportation facilities;

6 (2) The modal administrations in the Department shall ensure that
7 the State maintains an integrated transportation system by working cooperatively to
8 remove barriers, including restrictions on bicycle access to mass transit, that impede
9 the free movement of individuals from one mode of transportation to another; [and]

10 (3) As to any new transportation project or improvement to an existing
11 transportation facility, the Department shall work to ensure that transportation
12 options for pedestrians and bicycle riders will be enhanced and that pedestrian and
13 bicycle access to transportation facilities will not be negatively impacted by the project
14 or improvement; AND

15 (4) **IN DEVELOPING THE ANNUAL CONSOLIDATED**
16 **TRANSPORTATION PROGRAM, THE DEPARTMENT SHALL:**

17 (I) **ENSURE THAT THERE IS A BALANCE BETWEEN FUNDING**
18 **FOR:**

19 1. **PROJECTS THAT RETROFIT EXISTING**
20 **TRANSPORTATION PROJECTS WITH FACILITIES FOR PEDESTRIANS AND BICYCLE**
21 **RIDERS; AND**

22 2. **NEW HIGH CONSTRUCTION PROJECTS; AND**

23 (II) **IN TRANSIT-ORIENTED AREAS WITHIN PRIORITY**
24 **FUNDING AREAS, AS DEFINED IN § 5-7B-02 OF THE STATE FINANCE AND**
25 **PROCUREMENT ARTICLE, PLACE INCREASED EMPHASIS ON PROJECTS THAT**
26 **RETROFIT EXISTING TRANSPORTATION PROJECTS WITH FACILITIES FOR**
27 **PEDESTRIANS AND BICYCLE RIDERS AND INCREASE ACCESSIBILITY FOR THE**
28 **GREATEST NUMBER OF PEDESTRIANS AND BICYCLE RIDERS.**

29 2-604.

30 (a) The Director shall develop and coordinate policies and plans for the
31 provision, preservation, improvement, and expansion of access to transportation
32 facilities in the State for pedestrians and bicycle riders, including development[, before
33 October 1, 2002,] of a Statewide 20-Year Bicycle-Pedestrian Master Plan that:

34 (1) (i) Identifies short-term and long-range goals that are
35 consistent with the purposes of this subtitle; and

- 1 (ii) For each identified goal, includes:
- 2 1. Reasonable cost estimates for achieving the goal; and
- 3 2. For purposes of the annual report required under §
4 3–216 of this article, objective performance criteria against which progress in
5 achieving the goal can be measured;
- 6 (2) Complies with applicable federal funding requirements;
- 7 (3) Provides a model to guide political subdivisions of the State in
8 enhancing bicycle and pedestrian access to transportation facilities;
- 9 (4) Proposes long-term strategies for improving the State’s highways
10 to ensure compliance with the most advanced safety standards for pedestrians and
11 bicycle riders; and
- 12 (5) After consultation with political subdivisions in the State,
13 identifies bicycle-pedestrian priority areas to facilitate the targeting of available funds
14 to those areas of the State most in need **WITHIN PRIORITY FUNDING AREAS, AS**
15 **DEFINED IN § 5–7B–02 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**
- 16 (b) **THE STATEWIDE 20-YEAR BICYCLE-PEDESTRIAN MASTER PLAN**
17 **SHALL BE REVISED EACH YEAR THAT THE MARYLAND TRANSPORTATION PLAN,**
18 **AS DESCRIBED IN § 2–103.1 OF THIS TITLE, IS REVISED.**
- 19 (c) To carry out the purposes of this subtitle, the Director shall:
- 20 (1) Participate in the planning of new transportation facilities and
21 improvements to existing transportation facilities;
- 22 (2) Advise the Secretary on matters concerning bicycle and pedestrian
23 access and any other matter as requested by the Secretary;
- 24 (3) Initiate a program of systematic identification of and planning for
25 projects related to bicycle and pedestrian transportation that qualify for funds under
26 Federal Highway Administration guidelines;
- 27 (4) Monitor State transportation plans, proposals, facilities, and
28 services to ensure maximum benefits for pedestrians and bicycle riders in the State;
29 and
- 30 (5) Consult regularly with the Bicycle and Pedestrian Advisory
31 Committee established under § 2–606 of this subtitle.

1 **[(c)] (D)** The exercise of the powers and duties of the Director is subject to
2 the authority of the Secretary.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2010.